S.B.Criminal Revision Petition No.1102/2006

Jamsher Khan
v.
State of Rajasthan & Ors.

Date of Order :: 23rd October, 2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. K.K.Shah, for the petitioner.
Mr. Vishnu Kachhawaha, Public Prosecutor.
Mr. Pradeep Choudhary, for the respondents.

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By judgment and order dated 17.11.2006 passed by learned Sessions Judge, Jaisalmer, the respondents No.2 to 5 were acquitted from the charges of offences under Sections 447, 323, 325 read with Section 34 IPC.

While challenging the same the allegation of the petitioner is that the trial court over looked the material evidence including the fact that the grievous injuries were sustained by the members of other party.

I have scanned the order impugned. The trial court has given a specific finding of fact that opposite party was aggressor and whatever offensive action taken by the acquitted persons (respondents No.2 to 5) was in private defence. The finding of fact given given by the court below is not at all perverse being based on sound appreciation of evidence. Such a

finding does not warrant interference of this Court under its revisional jurisdiction.

Accordingly, the revision petition is dismissed.

(GOVIND MATHUR),J.

Kkm/ps.